

MELINDA HAAG (CABN 132612)  
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)  
Chief, Criminal Division

EDWARD R. FLUET (CABN 247203)  
Assistant United States Attorney

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5037  
FAX: (408) 535-5066  
E-mail: edward.fluet@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 13-CR-00580-RMW
	)	
Plaintiff,	)	
	)	STIPULATION AND [] ORDER
v.	)	
	)	
TRI MINH DAO,	)	
	)	
Defendant.	)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this Order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from January 28, 2014, up to and including March 3, 2014.

The parties agree, and the Court finds and holds, as follows:

1. On January 28, 2014, the parties appeared for a status conference before this Court.
2. At the appearance, defendant requested a continuance of the case until March 3, 2014, in order to continue to investigate the case.
3. The United States had no objection to the request.
4. Based on these representations and for good cause shown, the Court finds that failing to exclude the time between January 28, 2014 and March 3, 2014, would unreasonably deny the defendant

continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between January 28, 2014 and March 3, 2014, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

5. Accordingly, and with the consent of the defendant, the Court orders that the period from January 28, 2014, through March 3, 2014, be excluded from Speedy Trial Act calculations. *Id.*

STIPULATED:

DATED: January 28, 2014

/s/

CYNTHIA LIE

Attorney for Defendant TRI MINH DAO

DATED: January 28, 2014

/s/

EDWARD FLUET

Special Assistant United States Attorney

Based on the above, IT IS HEREBY ORDERED that the time between January 28, 2014 and March 3, 2014, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED:           



RONALD M. WHYTE

Senior United States Senior District Judge